



MOTOROLA

October 18, 1999

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
The Portals, TW-A325
445 12th Street, S.W.
Washington, D.C. 20554

Re: Ex Parte Notification – WT Docket No. 99-168

Dear Ms. Salas:

This letter is being filed on behalf of Motorola, Inc. (Motorola). On October 18, 1999, Steve Sharkey and Leigh Chinitz of Motorola met with Stanley Wiggins, Marty Liebman, Ron Netro, and Jay Jackson of the Wireless Telecommunications Bureau and Julius Knapp, Stagg Newman, Robert Bromery and Doug Sicker of the Office of Engineering and Technology and discussed the *Notice of Proposed Rule Making* in the above-referenced proceeding.

During the meeting, Motorola expressed its view that, because of the propagation characteristics of the spectrum and its proximity to other mobile services, the 36 MHz under consideration in the 746-806 MHz band is ideal for meeting the demonstrated needs of mobile users. Accordingly, it should be licensed in a way that facilitates mobile use but does not prohibit fixed uses that are technically compatible. Motorola provided a plan demonstrating that active management of the 746-806 MHz band can substantially improve the efficient use of that spectrum and help satisfy the requirements of a wider range of users. Under Motorola's plan, the majority of the 36 MHz would be available for commercial services. A portion of the spectrum would, however, be made available, through auction, to private services.

Motorola demonstrated that highly dissimilar services operating in close proximity raise the potential of interference scenarios that can be addressed through proper spectrum management. Based on this, Motorola described how traditional high-power broadcast operations are incompatible with lower power mobile services and should not be permitted to operate in this spectrum. Motorola also provided analysis demonstrating the difficulties that traditional low-site, high frequency reuse cellular systems will have in providing the protection necessary to ensure interference-free operation of public safety systems operating in the 24 MHz of spectrum already allotted at 746-806 MHz. In order to provide proper adjacent-channel protection to public safety services, the types of wider bandwidth technologies currently being deployed for commercial operations will not be able to operate within approximately 1.5 MHz of the public safety services. Based on this, Motorola provided a plan that would allow private radio services to use the 1.5 MHz of spectrum at each edge of commercial bands. This results in a total of 6 MHz available for PMRS. This spectrum would be auctioned, and band managers would be allowed to bid, but use would be limited to private radio services.

This plan creates a transition zone between public safety and consumer-oriented commercial uses. Interference from private systems into public safety systems would be managed, as it is now, by the frequency coordination process. Interference from commercial systems into private radio systems would be minimized through a band manager that could evaluate the radio environment and match the private

use in a particular frequency segment in a way that would be compatible with the adjacent radio environment. Given the wide variety of private requirements, from low power, in-building systems to multi-site systems covering large areas, it will be possible to make efficient use of this spectrum without significant impact on CMRS or public safety services. With respect to use of spectrum available for CMRS, we discussed a number of frequency pairings that could be used for licensing the spectrum. We also discussed the UK's intention to license spectrum for third generation services in blocks of 20 or 30 MHz with an additional 5 MHz for some licensees.

Accordingly, Motorola's plan for the 746-806 MHz band provides the greatest benefit to the public by maximizing efficient use of the spectrum and minimizing the amount of spectrum used as guard-band to protect adjacent services. Both commercial mobile service providers and the private radio community have demonstrated the need for additional spectrum. While the 36 MHz available in this proceeding falls far short of what is required to meet the long-term requirements of these services it is a critical first step. Through active management of the spectrum the Commission can maximize its value to both these groups. Motorola indicated its willingness to continue to work with Commission staff to develop service rules for this spectrum that would maximize its potential use.

Please contact Steve Sharkey at (202) 371-6953 regarding any questions concerning this matter.

Respectfully Submitted,

Steve B. Sharkey
Motorola, Inc.

cc:

Stanley Wiggins
Marty Liebman
Ron Netro
Jay Jackson
Julius Knapp
Stagg Newman
Robert Bromery
Doug Sicker